

REMARKS

Claims 1-48 are pending in this application. By this Amendment, claims 37 and 43 are amended and dependent claim 48 is added. Claims 37 and 43 are amended to further clarify these claims. The amendments to claims 37 and 43 are supported throughout the specification. The features recited in claim 48 also are supported in the specification. See, for example, the third embodiment described starting on page 19 (see, for example, page 19, lines 29-32). Thus, no new matter is added by the above amendments.

These amendments should be entered after final rejection at least because: (1) they do not raise any new issues as they merely clarify features already recited in claims 37 and 43 and discussed in the previous Amendment; (2) they do not raise any issues regarding new matter; and (3) they place the application in even better condition for allowance, or at least better condition for appeal. The amendments were not made earlier because they are made in response to the new rejection made in view of the newly-cited reference in the July 28 Office Action.

Applicant notes with appreciation the allowance of claims 1-36 and 44-47. Applicant submits that claims 37-43 and 48 also are in condition for allowance, as detailed below.

Claims 37-43 stand rejected under 35 U.S.C. §102(e) over U.S. Patent No. 6,657,702 to Chui et al. This rejection is respectfully traversed.

Independent claims 37 and 43 relate to a method and apparatus in which a registrant registers an image in relation to a product of digital contents that is to be sold to purchasers, and in which, after a purchaser purchases the product of digital contents, information is provided to the purchaser regarding a print of the image that is registered in relation to the product of digital contents. Independent claim 37 recites a second step of outputting information relating to the image through a computer communication for the purpose of producing the print of the image for enabling the purchaser of the product of digital contents

to use the print of the image. Independent claim 43 recites an information output that outputs information of the image relating to the product of digital contents that was sold to the purchaser and information for delivery of the print to the purchaser of the product of digital contents. Chui et al. does not relate to a system in which a purchaser of digital contents receives information relating to a print. The Chui et al. system does not even relate to the purchase of a product of digital contents.

Chui et al. relates to a system in which an originator (also called a customer in Chui et al.) sends digital images (or selects previously sent digital images) to a photo processor and designates recipients of prints of those images, and then the photo processor produces and sends the prints to those recipients. The originator/customer is billed for this service. See, for example, col. 10, lines 41-67, col. 11, lines 24-37 and col. 21, line 63 - col. 22, line 9. The recipients of the prints are not the purchasers. As noted above, the originator/customer is billed for the prints, and thus the originator/customer is the purchaser. Although Chui et al. indicates that the recipients can re-order prints (see col. 6, lines 25-47 and col. 14, lines 19-22), Chui et al. does not indicate that the recipients pay for the re-order. Even if the recipients do pay for the re-order, they merely are purchasing prints, not a product of digital contents.

In all the examples in Chui et al., the recipients are different than the originator/customer. That is, Chui et al. does not indicate that the originator/customer also could be a recipient of the prints. However, even if the originator/customer is a recipient, the originator/customer does not purchase a product of digital contents. The only item that is purchased is a print or other items as described at col. 14, lines 61-65, none of which are a product of digital contents.

In summary, Chui et al. does not disclose or suggest a method or apparatus in which a purchaser of a product of digital contents receives information relating to a print that was registered in relation to that product. Withdrawal of the rejection is requested.

In view of the foregoing, Applicant respectfully submits that this application is in condition for allowance. Favorable reconsideration and prompt allowance are earnestly solicited.

Should the Examiner believe anything further would be desirable to place this application in even better condition for allowance, the Examiner is invited to contact Applicant's undersigned attorney at the telephone number listed below.

Respectfully submitted,



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MAC/ccs

Attachment:
Amendment Transmittal

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